



**FEDERAL COMMUNICATIONS COMMISSION
ENFORCEMENT BUREAU
NORTHEASTERN REGION
Columbia District Office
9200 Farm House Lane
Columbia, MD 21046
301-725-1996**

July 29, 2013

(Sent via Certified Return Receipt Requested and First Class U.S. Mail)

Custom Computers
d/b/a Winchester Wireless
Winchester, Virginia

NOTICE OF UNLICENSED OPERATION

Case Number: EB-FIELDNER-13-00009170
Document Number: W201332340002

On May 29, 2013, in response to multiple interference complaints, an agent from the Enforcement Bureau's Columbia office inspected three transmitter sites operated by Custom Computers d/b/a Winchester Wireless in Winchester, Virginia.¹ At all three locations, the agent observed radio emissions emanating in the 902-928 MHz band from Motorola Canopy systems connected to amplifiers manufactured by RF Linx, Inc.

The FCC equipment authorization for Motorola Canopy 900 MHz AP modules (FCC ID ABZ89FC5809) limits the device to operations with only certified external antennas within the frequency range of 902 MHz to 928 MHz. An external amplifier is not authorized for use with this Motorola Canopy system and therefore the use of such external amplifier violates Part 15 of the Commission's rules ("Rules").²

Radio stations must be licensed by the FCC pursuant to section 301 of the Communications Act of 1934, as amended (Act).³ The only exception to this licensing requirement is for certain transmitters using or operating at a power level or mode of operation that complies with the standards established in Part 15 of the Rules.⁴ Operation of an intentional radiator, such as the Motorola Canopy 900 MHz AP transmitter, not in accordance with the regulations in Part 15 of the Rules, requires a license pursuant to the provisions of section 301 of the Act.⁵ Additionally,

¹ The transmitter sites were located at residences on Pepper Lane and Shawnee Trail and at the company's main office at 2979 Valley Avenue.

² 47 C.F.R. §§15.1, 15.204.

³ 47 U.S.C. § 301.

⁴ 47 C.F.R. §§ 15.1 *et seq.*

⁵ 47 C.F.R. §15.1(b); 47 U.S.C. § 301.

operation of an intentional radiator, such as the Motorola Canopy 900 MHz AP transmitter, that is not in compliance with the administrative and technical provisions of Part 15, including prior Commission authorizations, is prohibited under section 302 of the Act.⁶

Operation of radio transmitting equipment without a valid radio station authorization or in a manner not in compliance with the limits and parameters of the device's equipment authorization, constitutes a violation of the Federal laws cited above and could subject the Winchester Wireless to severe penalties, including, but not limited to, substantial monetary fines, *in rem* arrest action against the offending radio equipment, and criminal sanctions including imprisonment.⁷

**UNLICENSED OPERATION OF ANY TRANSMITTING DEVICE MUST CEASE
UNTIL FULL COMPLIANCE WITH THE DEVICE'S EQUIPMENT
AUTHORIZATION AND PART 15 OF THE FCC'S RULES IS ACHIEVED.**

Winchester Wireless has ten (10) days from the date of this notice to respond with information detailing the type of equipment associated with the Motorola Canopy 900 MHz AP transmitter, including calculations concerning the total power output of the configuration in operation at the sites mentioned above. The response should also describe the steps Winchester Wireless is taking to ensure that its operation at all locations serving the Winchester, VA area, complies with Part 15 of the Commission's rules. Winchester Wireless's response should be sent to the address in the letterhead and reference the listed case and document number. Under the Privacy Act of 1974,⁸ we are informing you that the FCC's staff will use all relevant material information before it to determine what, if any, enforcement action is required to ensure your compliance with FCC Rules. This will include any information disclosed in the reply.

Winchester Wireless may contact this office with any questions.

Salomon Satche
District Director
Columbia District Office
Northeastern Region
Enforcement Bureau

Attachments: Excerpts from the Communications Act of 1934, as amended

⁶ 47 C.F.R. 15.1(c), 47 U.S.C. § 302a.

⁷ 47 U.S.C. §§ 401, 501, 503 and 510.

⁸ 5 U.S.C. § 552a(e)(3).